

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
OCT 26 2002
TECHNICAL
#8
AKO
11/22/02

In re Application of :

Naoto MIWA et al.

Group Art Unit: 1617

Serial No.: 09/787,394

Examiner: Shahnam J. Sharareh

Filed: March 19, 2001

For: NEAR INFRARED FLUORESCENT CONTRAST AGENT AND
FLUORESCENCE IMAGING

RESPONSE TO RESTRICTION REQUIREMENT

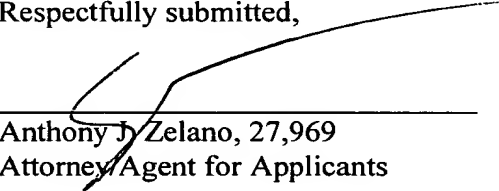
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action of September 24, 2002, Applicants hereby elect the compound of claim 17. Claims readable on this species include 1-11, 13, 17, 21-34. This election is made with traverse because the Examiner has not established that any undue searching burden would be involved in searching the full scope of the claims.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


Anthony J. Zelano, 27,969
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: SCH-1799
Date: October 24, 2002